

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of APRIL EAST and AUSTIN
EAST, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DONNA FAY EAST,

Respondent-Appellant.

UNPUBLISHED

March 14, 2006

No. 264225

St. Clair Circuit Court

Family Division

LC No. 99-004022-NA

Before: Schuette, P.J., and Murray and Donofrio, JJ.

PER CURIAM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err by finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The principle conditions that led to adjudication were domestic violence between the parents, repeated police contacts with the family, and erratic behavior by respondent, such as domestic violence between respondent and her grandmother and two vehicular accidents within two days. The record indicates that respondent continued to engage in a lifestyle characterized by volatility and frequent police involvement. During the pendency of this case, respondent ransacked the home of her former husband, the children's father, engaged in a domestic dispute with her brother in front of Austin, and became involved in a confrontation with police in front of Austin. Unsupervised visits were discontinued in November 2004 because of aggression by respondent's older son Joseph as well as police calls to the home. Austin was removed from the home for a second time in April 2005 because of numerous police calls to respondent's residence, as well as her lack of supervision of Austin. Throughout this matter respondent has been volatile and threatening to workers, finally threatening that her Special Parents clinician would not see her family again if respondent's parental rights were terminated. Despite completing anger/rage management and parenting classes, it is clear that respondent has not rectified her volatility and difficulty with anger management, with consequent constant police involvement and a chaotic and unstable environment for the children. Respondent's ability to maintain stable housing is also in question, as she was asked to vacate her residence because of her inappropriate behavior. While there is no allegation or any

indication in the record that respondent would physically abuse the children, there was substantial evidence that she lacks the ability to provide a minimally stable environment for them.¹

Furthermore, the trial court did not clearly err by finding that termination of respondent's parental rights was not clearly contrary to the best interests of the children. MCL 712A.19b(5). Throughout this matter the children have exhibited challenging behaviors, requiring constant redirection and reinforcement of structure and boundaries. Respondent, having failed to benefit from parenting classes or anger management classes, is not equipped to meet these challenges. While respondent attributes her difficulty to the challenging behavior of the children, especially Austin, the evidence indicating that Austin showed substantial improvement in his behavior while in the care of his uncle during these proceedings suggests that respondent's inability to manage and supervise the children is a substantial factor in their difficulties.

Affirmed.

/s/ Bill Schuette
/s/ Christopher M. Murray
/s/ Pat M. Donofrio

¹ Respondent argues in a supplemental brief that the termination order should be reversed because she complied with the parent agency agreement. *In re JK*, 468 Mich 202, 214; 661 NW2d 216 (2003). However, this Court has held that a parent must not only complete the required steps of the parent agency agreement but also demonstrate benefit from the services offered. *In re Gazella*, 264 Mich App 668, 676-677; 692 NW2d 708 (2005). Substantial evidence, including statements from the instructors of parenting and anger management classes attended by respondent, indicated that she did not significantly benefit from these services.